

AUG 27 2012

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA,)
) Criminal No. 7:10cr00070-4
)
)
v.) 2255 FINAL ORDER
)
)
PATRICK CLEOFOSTER JONES, II.) By: Samuel G. Wilson
) United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED and ADJUDGED

that Jones' 28 U.S.C. § 2255 motion (Docket No. 138) is **DISMISSED without prejudice** as successive; and this case is hereby **STRICKEN** from the active docket of the court.

Further, finding that Jones has failed to make the requisite substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 27th day of August, 2012.



United States District Judge